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January 31, 2014

By ECF & Electronic Mail

Honorable Lorna G. Schofield
United States District Judge
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Sachin Shah v. Justin Lumiere, et al.*,
Index No. 13-CV-02975 (S.D.N.Y.)(LGS)

Dear Judge Schofield:

The undersigned represents the Plaintiff Sachin Shah in the above-referenced action. Here, however, I write on behalf of all parties in order to update the Court on the status of the ongoing efforts to mediate this matter and in furtherance of the parties' joint request for a 60-day extension of time to complete fact-discovery.

At the Mediator's suggestion and request, I for Plaintiff Sachin Shah in fact provided supplemental material to the Mediator, and the Mediation is presently scheduled to resume on February 7, 2014. Counsel for Plaintiff Sachin Shah and Defendant Lester Levy also have held separate discussions.

As for the litigation obligations, after the Court extended the current fact-discovery cutoff to March 21, 2014, the parties held discovery in abeyance pending the Mediation. It is recognized, however, that unless agreement is reached soon, counsel will need to set dates amongst each other to complete certain outstanding discovery and to do the depositions. We do not request in this letter any adjustment of the current fact-discovery deadline; however, events in the next month may make such a request necessary in what will be our next status

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report due February 28.

If Your Honor requires any additional information please feel free to contact me.

**Very truly yours,
NESENOFF & MILTENBERG, LLP**

**By: Philip A. Byler, Esq.
Philip A. Byler, Esq.**

cc: Steven E. Mallen, Esq. (by electronic mail) - Defendant Justin Lumiere
Lawrence P. Eagel, Esq. (by electronic mail) - Defendant Lester Levy
Robert N. Knuts, Esq. (by electronic mail) - Defendant Stefan Lumiere